

CHAPTER 9.0

PLAN IMPLEMENTATION

SECTION 9.1

INTRODUCTION

The focus of this Plan, as with past Town Master Plans, is a fostering of a strong agricultural - residential community that respects its rural character and extensive and varied, sensitive and unique natural resource base. The Master Plan supports and promotes conservation subdivision developments (lot clustering) and expansion of the Town's PDR ("purchase of development rights") program as a significant means of protecting large open and agricultural lands.

As with earlier Plans, residential development at densities requiring centralized public water and sewer systems (2 or more dwelling units per acre) should be primarily located along the 208-17K corridors between the three villages. However, such development should be targeted where infrastructure and roadways support such development, and when community benefits can be derived by such development (e.g., through off-setting preservation of open space and farmlands in the outlying areas of the Town, provision of funds to be utilized by the Town in the purchase of development rights in such areas, or other benefit as may be desired by the Town and as permitted by NYS Town Law). Focused development in areas of centralized town services, such as police, fire, schools and highway, will result in less strain on fiscal conditions than development of auxiliary and expanded facilities outside of centralized areas. Also, such development should only be permitted where needed utilities, road improvements and off-sets to community services are provided and/or constructed by the developers of such development.

The Master Plan also recommends the strengthening and development of additional land use development regulations (zoning, land subdivision, wetland regulation, etc) in order to provide increased protection to the many important, unique and irreplaceable natural and cultural resources within the Town. Increased natural resource protection and preservation is recommended to ensure that sensitive land areas are not irreversibly lost or damaged, that water quality is not degraded, and that the integrity and visual appearance of unique and scenic lands remain intact for future generations.

SECTION 9.2

RESIDENTIAL

Changes in residential land use density, in combination with revised minimum lot area calculations, adjusted to relate to a more realistic development pattern based on natural resource considerations and enhanced protection are recommended.

This Plan endeavors to address the recommendations set forth in the 1988 Plan pertaining to minimum lot size for “unsewered” areas of Town (based on analysis conducted by Joseph W. Miller, Jr.) and incorporates the 1988 Plan’s discussion and analysis of minimum lot size as part of the current Plan.

New residential development is recommended only in areas of the town where municipal resources, infrastructure, and services can adequately support such increased growth. For development activities which do not provide off-setting tax revenues, appropriate mitigation measures that address and reduce municipal costs should be provided by developers of new residential developments and subdivisions.

Provisions for additional multi-family housing developments outside the three villages is not recommended, but rather, an annexation program and/or inter-municipal agreement is envisioned in partnership with the villages and establishment of incentive zoning provisions are recommended which could allow adjustment of subdivision and/or zoning requirements or provide for increased density where infrastructure supports such development. Further, residential space in top floors of business and commercial structures, conversion of larger, older homes on major roadways and in transitional areas, and designation of a lot (or lots) within a single-family development for construction of a multi-unit structure consistent with the single-family subdivision character, as multifamily options are also supported as opportunities to provide alternative housing solutions with reduced (affordable) housing costs in areas outside of the villages. Provisions for affordable housing within the Town is also recommended through the establishment of a Special Use Permit process involving related supplemental zoning regulations.

RESIDENTIAL PLAN GOALS

- ☐ **Identify and preserve sensitive natural resources, significant open space lands and farmland.**
- ☐ **Allow for growth that protects and enhances the rural character and agricultural history of the Town. The location and development of residential uses should be consistent with topographical and natural features; with the capability of the town to provide basic services and utilities; and with the preservation of open space, farmlands, and unique natural resources.**
- ☐ **Focus higher density residential development through appropriate study and establishment of an incentive zoning program (designed to elicit desired community benefits and which could be considered as an overlay district to ensure it’s applied in appropriate areas), including potential annexation and/or inter-municipal agreement(s) in areas adjacent to the Villages, in order to create transitional density areas and reduce the development density west of the Wallkill River and in the northeast sections of Town.**

- ❑ **Encourage affordable housing options by encouraging apartments above businesses, apartments in converted large older homes along major roadways and within transitional areas of commercial and residential areas, designation of a lot (or lots) within a single-family development for construction of a multi-unit structure consistent with the single-family subdivision character, establishment of a Special Use Permit consisting of “affordable housing”, and by measures which strengthen the viability of Village centers.**
- ❑ **Preserve open space lands that emphasize conservation of natural resources and processes; provides recreational opportunities; maintains community character and aesthetically scenic landscapes; and preserves farmlands and the Town’s rural character.**

RESIDENTIAL GROWTH AND DENSITY

New residential growth, particularly denser developments and multi-family options should be guided in such a manner as to reinforce and enhance the viability of the existing village centers; to encourage development in those serviced areas contiguous to existing centers; and to encourage sensible residential use of land between villages and the outlying more rural portions of Town. The outlying rural residential and agricultural areas of Town should be protected as such through the use of zoning and land use techniques specifically targeted at preserving and protecting the historical and existing open and farmland image and character of the Town. In addition, residential development in the rural, un-serviced (central water and sewer) areas is recommended to be reduced to a density not to exceed one dwelling unit per two to four acres.

As indicated above, residential growth should be encouraged to be developed primarily adjacent to existing villages and in the Wallkill River corridor (outside an appropriately established and protected buffer area along the River alignment) between Walden and Montgomery centered in Scotts Corners. Focused growth should be allowed in appropriate areas after study and incorporation of recommended incentive zoning, as authorized pursuant to NYS Town Law §261-b (as defined therein as “*the system by which specific incentives or bonuses are granted...on condition that specific physical, social, or cultural benefits or amenities would inure to the community*”), that provides funding for the conservation of open and agricultural lands by out-right acquisition or purchase of development rights of such lands. Also, combining incentive zoning with potential annexation programs and/or inter-municipal agreements with the Villages, higher density residential development should be allowed in the above central areas where connection to, or expansion of, existing infrastructure is determined to be adequately improved to accommodate any such increased or more intense growth, and where community benefits clearly can be achieved for both the Town and Village.

The villages, with their traditional higher densities, are the logical place to channel growth. Residential development should be encouraged on land adjacent to the existing villages in order to complement the density already existing there and to provide a gradual progression of higher to lower density development from village centers to the outlying areas. Compact-type development would also make more efficient use of existing and proposed roadways, since the longer roadways that service sprawling development ultimately cost the Town more for construction and maintenance. In addition, fewer roads will mean less impervious surface which serves to lessen the amount of runoff and provides for greater recharge to the Town's groundwater supplies.

Concentrating development in the villages also minimizes the costs of providing other basic services such as police, fire, and schools to the outlying areas. However, density should not approach the density already existing in the villages or where community benefits through open space and farmland preservation are not also achieved in the outlying areas of the community. There is also a need to have a balanced (targeted) approach to development while at the same time encouraging smart growth principles.

The concentrating of future growth to established village centers is viewed as essential in maintaining and fostering economic stability and retaining the Town's significant agricultural image and character. Such concentrated growth is consistent with the recommendations of the County's 2003 Master Plan, which states "higher density residential development and complementary civic, commercial and industrial development is preferred in Priority Growth Areas, which include the historic cities, villages and hamlets and their immediate surroundings, where public infrastructure such as central water, sewer, and higher capacity roads exist, or could be efficiently extended to accommodate future growth."

RESIDENTIAL LAND USE FOCUS

Refer to Residential Plan Recommendations Map.

The following is a general overview of the Plan's intended focus for the future development pattern, density, and regulation of residential zoned property in the Town:

Agricultural and Rural Low Residential Density West of the Wallkill River

- Minimal density: 2 to 4 acres per unit; effective density 3 to 4+ acres per unit.
- Require open space and conservation subdivisions, and lot clustering as determined to be a benefit to the Town.
- Develop ridge preservation measures.
- Require adequate buffers in new subdivision developments adjacent and under airport flight zones, and during the design of new subdivisions consider the potential impacts on new subdivision lots in proximity to airport flight zones.

INSERT RESIDENTIAL PLAN RECOMMENDATIONS MAP

- Where appropriate, develop incentive zoning and pursue village annexation programs and/or inter-municipal agreements that generate funds to support acquisition of open space, farmland and/or development rights by providing appropriately scaled increased density that is supported by roadways and infrastructure facilities.

Low to Medium Residential Density Between the Villages

- Minimal density: 1 to 3 acres per unit in areas between the villages, while ensuring appropriate transition between town and villages.
- Focus medium residential density to provide sewer and water facilities by utilization or expansion of existing infrastructure first.
- Where appropriate, develop incentive zoning and pursue village annexation programs and/or inter-municipal agreements that generate funds to support acquisition of open space, farmland and/or development rights by providing appropriately scaled increased density that is supported by roadways and infrastructure facilities.

Rural Low Residential Density, with Interspersed Neighborhood and Established Commercial Areas east of the Wallkill River; Predominantly to the Northeast Quadrant of the Town

- Minimal density: 2 to 4 acres per unit; effective density 3 to 4+ acres per unit.
- Maintain transitional uses and small business connections.
- Where appropriate, develop incentive zoning and pursue village annexation programs and/or inter-municipal agreements that generate funds to support acquisition of open space, farmland and/or development rights by providing appropriately scaled increased density that is supported by roadways and infrastructure facilities.

Residential General Standards for All Areas

- Revise minimum lot area bulk standards to exclude certain constrained land areas (refer to Table 9-2).
- Develop flag lot standards.
- Expand PDR, open space and farmland programs and protection measures.
- Encourage cluster and conservation subdivisions at Town discretion.
- Consider developing scenic road overlay zoning.
- Require farmland buffers on new development parcels.
- Promote and develop realistic affordable housing opportunities.

OPEN SPACE

Open space includes a wide range of types, including public parks and preserves, undeveloped shoreline, agricultural lands, forest lands, recreational lands, wetlands, meadows, and undeveloped scenic lands. Narrow corridors such as walking, bicycle, and horse trails are also considered as open spaces, as are lakes, rivers, and other bodies of water.

Open space preservation and protection of agricultural lands, coupled with reducing or curbing the tremendous influx of new housing development, has been among the most significant issue raised during the Comprehensive Plan Special Committee review of the 1988 Master Plan. In response, a Town-wide Open Space and Farmland Conservation Plan should be established by developing an inventory of existing and potential open spaces, including unique, environmental sensitive, scenic and agricultural based lands.

Such an Open Space and Farmland Conservation Plan should include a prioritized acquisition list based on set criteria; methods for acquisition or expenditure; specific tax techniques; and means of protection other than direct acquisition should be identified and assessed, including conservation overlay zones designed to identify and protect significant and valuable areas and parcels.

An Open Space and Farmland Preservation Plan is a vital tool to ensure the preservation of farms, greenways, trails, woodlands, wetlands and watercourses, and scenic vistas for future generations to enjoy. The people of Montgomery have recognized that an active plan to preserve these significant resources areas is vital to the future of the Town, especially in light of continuous pressure to develop open areas.

RECOMMENDATIONS FOR ACTION

Refer above to Residential Plan Recommendations Map.

★ Residential Zoning Land Use Density Changes

RA-.5, RA-1, RA-2, RA-3, and RM-1 Zoning Districts

Combine all residential agricultural - one family and two family districts, and multi-family districts (excluding the R-MHC and RA-CE districts) into two new zoning districts as described in Table 9-1 below. However, in instances where “concentrations” of already developed parcels are predominantly in accordance with the existing zoning district designation, such areas should not be reclassified (i.e., developed parcels concentrated in a contiguous geographic area consisting of lessor sized lots than recommended by the zoning reclassification would retain their current zoning designation).

TABLE 9-1 RESIDENTIAL ZONING DISTRICT CONSOLIDATION	
EXISTING ZONES	FUTURE POTENTIAL ZONING DENSITY
Combine RA-.5, RA-1 & RA-2 into a new single zone (*)	1 SF unit / 2 to 4 acres (**) (***)
Combine RA-3 and RM-1 into a new single zone (*)	1 SF unit / 1 to 3 acres (**) (***)
Note: SF = Single Family (*) In instances where “concentrations” of already developed parcels are predominantly in accordance the existing zoning district designation, such areas should not be reclassified (i.e., developed parcels concentrated in a contiguous geographic area consisting of lesser sized lots than recommended by the zoning reclassification would retain their current zoning designation (**) At the time of implementation and rezoning, an appropriate permitted density (i.e., 2 acres per unit, 3 acres per unit, 4 acres per unit) would be established and the name or title of the new District established. (***) If permitted, two-family unit requires 200% of minimum lot area, but are prohibited on soil classes VIII through XV.	

R-MHC Zoning District

No changes to the location, extent, regulation thereof, or list of permitted uses within the existing R-MHC District (mobile home court) are recommended.

PAC (Special Exception Use) Zoning Overlay District

Although no changes to the location, extent, or list of permitted uses within the existing PAC Overlay District are recommended, the Plan recommends that the unit density standards be adjusted in keeping with the other recommendations of the Plan (as detailed below) to exclude the inclusion of certain constrained lands (refer to Table 9-2), in calculating minimum lot area and maximum permitted unit density; specifically Section 130-40-30.30 of the Zoning Law should be amended accordingly. The Plan in recommending such amendments, emphasizes that such exclusions should apply uniformly to all existing and new zoning districts within the Town.

RA-CE Zoning District

No changes to the location, extent regulation thereof, or list of permitted uses within the existing RA-CE District are recommended.

☆ *Increased Protection of Areas with Conservation Easements*

To ensure added protection over areas subject to a Conservation Easement, a new zoning district classification should be defined over such properties, or portions thereof, such as Brach, Hawkins, Miller, Zylstra and Hoekstra - similar to the “RA-CE” District classification.

☆ *Environmental Adjustments in Calculating Minimum Lot Area*

Updates should be proposed to the Town’s zoning, subdivision and site plan requirements to assure that these regulations ensure environmental protection. Provisions that exclude certain environmentally sensitive features (i.e., wetlands, lands under water, steep slopes, and floodplains) and other non-buildable land types (i.e., areas included in road rights-of-ways) from the minimum lot area and buildable areas of development parcels should be incorporated in recognition that such features or land areas are not suitable for development and as such, should not contribute in the calculation of minimum permitted unit density.

Accordingly, the Plan recommends that existing residential zoning minimum lot area and bulk standards be amended by enacting certain lot area exclusions as described in Table 9-2 below, in determining conventional minimum required lot area and density.

TABLE 9-2 MINIMUM REQUIRED LOT AREA EXCLUSIONS	
RECOMMENDED EXCLUSION	COMMENT
HIGH PRIORITY FOR IMPLEMENTATION	
Wetlands, watercourses and/or waterbodies (including land under water; mean high water depth of streams, ponds, lakes, etc).	Also, adopt a Zoning Law definition for “wetlands, watercourses and/or waterbodies” based on Federal standards.
Area of land subject to flooding (listed by Orange County Soil Survey and determined by site-specific sampling) and 100-year floodplain hazard areas.	Also, adopt a Zoning law definition for “land subject to flooding”.
Area of subdivision access road (public and private) and common driveway easements and rights-of-ways.	In recognition that such features are already extracted during conventional subdivision review but should be stated in the Zoning Law to avoid potential interpretative conflicts.
Steep slopes.	Also, adopt a Zoning Law definition for “steep slopes”, which sets forth the slope which is regulated (ranging from

	25% and greater to 15% and greater).
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☆ Incentive Zoning

The potential use of “Incentive Zoning” as set forth in NYS Town Law §261-b should be further studied and incorporated into the Town’s residential zoning provisions where deemed appropriate. Incentive zoning is defined therein as “*the system by which specific incentives or bonuses are granted...on condition that specific physical, social, or cultural benefits or amenities would inure to the community*”). The provisions of NYS Town Law also mandate that prior to the adoption of a system of zoning incentives or benefits, impacts of the proposed regulations upon the potential development of affordable housing (either gained or lost) will be evaluated.

To implement incentive zoning, an evaluation of needed physical, social and cultural benefits and/or amenities, in addition to the preservation and protection of remaining and at-risk open and agricultural lands (and the image and community character such lands typify in exhibiting the Town’s rural appearance and agrarian heritage, should be conducted to understand the Town’s specific needs. Once desired community benefits have been determined, related zoning provisions should be proposed which set forth:

- Clear definitions of targeted benefits or amenities.
- Specific incentives or bonuses to achieve said community benefits.
- Specific regulations relative to the incentive(s) applied for.

Initial analysis suggests that incentive zoning could be efficiently utilized to preserve and conserve open and agricultural lands by out-right acquisition or purchase of development rights of such lands, and/or to establish affordable housing. One way would be to provide an incentive of increased density, while another could permit relaxation of applicable subdivision and/or lot (i.e., frontage) requirements, and/or applicable road standards (i.e., road width, private road verse public, etc) within appropriate locations of the Town or in designated or floating overlay district areas.

As indicated above, incentive zoning could be utilized to establish a regulatory process by which existing open and agricultural lands, deemed significant by the Town, are preserved and kept in their current undeveloped state. Such targeted lands would comprise features, acreage and/or characteristics that promote the Town’s rural farming image and/or which permit existing active farms to continue farming without the threat of development of said lands.

Examples of Potential Incentive Zoning

One example might include incentive density zoning provisions established in exchange for, or in combination with, the development of affordable housing units or contributions earmarked for such development types. Another example might involve the granting of increased density, in an area(s) deemed suitable and appropriate by the Town, to a proposed development which either preserves lands (by donation to the Town or to an appropriate not-for-profit land conservation/ preservation organization; or by procurement of a property's development rights, in perpetuity), or contributes (as a "payment in-lieu thereof") to a fund established by the Town Board for the utilization of Town efforts to preserve existing open and agricultural lands; through such mechanisms as the purchase of development rights (in furtherance of the Town's ongoing PDR program efforts), conservation easements, property acquisition, matching funds to do any of the above, or a combination of the above, etc. Refer to Table 9-3 for a comparison example of potential density bonuses and the benefits that might be attained through incentive zoning.

As part of the incentive zoning concept, a Town/Village annexation program and/or inter-municipal agreement could also be pursued as an effective technique for managing residential growth in a manner that results in positive benefits for both the Town and participating Village. Technically, annexation consists of an inter-municipal agreement that provides for the extension of the Village boundaries to include appropriate adjacent parcels, in exchange for certain considerations acceptable to the involved municipalities. Under incentive zoning provisions, permitted density of annexed parcels could be increased ("density bonus") in exchange for a cash payment in lieu of establishment of dedicated open space, preserved agricultural lands, development of affordable housing, road and/or water/sewer infrastructure improvements, and/or some other desired community-wide benefit.

TABLE 9-3 COMPARISON EXAMPLE OF “INCENTIVE” VERSUS “NO INCENTIVE” BONUS	
INCENTIVE DENSITY DEVELOPMENT (WITH SEWER AND WATER)	
Lot Area	50 acres
Excluded Areas (wetlands, floodplain, etc)	10 acres
Net Lot Density Area	50 acres - 10 acres = 40 density acres
Lot Unit Calculation	40 density acres x 3 units (*Note 1) = 120 units (13 as of right units and 107 incentive units for 120 total units)
Number of Units ‘Not’ Constructed OR Funds Generated for PDR Program	214 units Not Constructed (*Note 2) (107 incentive units x 2 = 214 units) \$2.675 million dollars or +/- 669 PDR acres (107 incentive units x \$25,000 = \$2.975 million - *Note 4) (\$2.675 million / \$4,000 PDR acre cost = 669 acres - *Note 5)
CONVENTIONAL DEVELOPMENT (NO INCENTIVE DENSITY INCREASE)	
Lot Area	50 acres
Excluded Areas (wetlands, floodplain, etc)	10 acres
Net Lot Density Area	50 acres - 10 acres = 40 density acres
Lot Unit Calculation	40 density acres / 3 acres = 13 units (13 new house lots) (*Note 1)
Number of Units ‘Not’ Constructed OR Funds Generated for PDR Program	0 units Not Constructed (*Note 3) \$0 dollars or 0 PDR acres
Notes: (27) Incentive density development assumes 3 single-family units per net density acre, while conventional development density assumes a minimum lot density of 3 acres per single-family unit, and are included for example purposes only. (28) The intent of granting incentive density is to prevent the development of at least two units elsewhere in Town by the preservation of lands before subdivision or the generation of funds in order to purchase the development rights of property. In this example, 214 units would be prevented from being developed elsewhere in Town, equaling approximately 642 buildable acres (non-wetland, floodplain, etc). In other words: 120 new lots (and 214 lots not created) <i>with an incentive bonus</i> versus 226 lots	

(see note 3) *without any incentive bonus.*

- (29) With no incentive given, additional lots (in addition to the 13 lots on the incentive zoned parcel) would not be prevented from being generated elsewhere in Town on non-incentive zoned parcels within the new consolidated residential zones. For instance, a combination of 800 acres where a minimum of 3 acres is required (for example purposes only) and excluding for discussion purposes 20% (160 acres of wetlands, floodplain, etc), would have a net of 640 buildable acres and could generate approximately 213 additional lots. Total lots able to be created: 226 (13 as of right units on the incentive zoned parcel developed without any incentive bonus, plus 213 units based on 1 unit per 3 acres).
- (30) The collected amount of \$25,000 per additional incentive unit has been used for example purposes only; the actual amount of payment in-lieu of preservation would be determined at the time of adoption of the needed zoning legislation and should be flexible and adjusted based on market trends and conditions.
- (31) The approximated cost of \$4,000 per acre relates to the “Purchase of Development Rights” only and is based on current trends; this cost would be higher or lower depending upon the property in question, the market at the time of purchase, and the agreement that could be forged with the owner.

Annexation and/or inter-municipal agreements can provide multiple benefits to cooperating municipalities. “Direct” benefits can include such actions as upgrades to a sewer treatment plant, traffic improvements, and other physical infrastructure improvements, as well as contributions earmarked for infrastructure upgrades or other municipal needs (i.e., parking areas, government buildings, maintenance equipment, etc). Other indirect benefits from utility and traffic infrastructure improvements could include associated improvement in the quality of storm and sewer discharges; improved handling, collection and treatment of stormwater runoff; reductions in area traffic congestion; and improved traffic safety conditions.

There are also numerous “indirect” benefits that are not so easily quantified, such as increased activity at Village businesses and reduced traffic. Given the Town’s focus on preservation of open space/farmlands with monies received from application of density bonus in incentive zoning areas, the resulting maintenance of community character, is anticipated to be a significant benefit resulting from implementation of an incentive zoning district, including an annexation and/or inter-municipal agreement program. Community character can generally be described as what makes the Montgomery area a great place to live, which has been repeatedly expressed by its citizen’s to be the area’s rural scenic landscape, dotted with farm buildings and farmlands, and rich with historic heritage. Additionally, there are long term benefits, such as additional tax revenues for recipients of annexed land (the Villages), as the buildings and properties/land in the annexed parcel become additional tax ratables.

Consistent with the goals of protecting farm-related landscape/community features (e.g., open lands, agricultural lands, farming operations, historic sites and buildings, etc.), this Plan recommends focusing land preservation efforts and/or contributions (i.e., cash payments in-lieu thereof) received from developers pertaining to incentive density bonuses towards the preservation and/or purchase of development rights of lands most threatened or which contribute significantly to the Town's rural and farming image and character, as deemed appropriate by the Town. In most cases, it is recommended that the purchase of a property's development rights first be pursued as means of preservation. However, outright parcel purchase is recommended where feasible and where the acquisition of land relates to the achievement of other stated Plan goals and objectives (i.e., land adjacent to Wallkill, other preserved parcels, or existing Town lands or parks). Criteria for preservation could include:

- Parcels containing designated prime and/or statewide important soils.
- Parcels containing resources of scenic and natural significance.
- Active farm parcels of both significant acreage and appearance.
- Parcels having a high potential for large-scale residential development.
- Parcels deemed significant in size and character and which are at high risk due to their potential sale or proposed development status.
- Parcels providing significant preservation of historical/agricultural features.
- Parcels located in areas already experiencing development pressures.

An incentive program involving increased density could establish that the preservation of land, or any payment in-lieu thereof, be levied per each additional unit given as a density bonus (i.e., land shall be preserved, development rights purchased, or payments in-lieu of reservation or purchase of development rights shall be provided for each incentive bonus unit above and beyond the number of units which would otherwise be permitted as of right before the application of any incentive density increase).

For instance, for each additional, incentive bonus unit granted, that the amount of land preserved or the contribution (i.e., "payment in-lieu thereof") provided by a developer or property owner would be required to equal at least 2 building units elsewhere in the Town, or the then current market cost of at least 2 building units. As an example, if a developer or owner of a designated incentive zoned property proposed a development resulting in 5 incentive (additional) units, the amount of land preserved (or its development rights severed), or the payment in-lieu thereof, would equal 10 building units. The contribution amount would be related to the market price of a building lot, and should be adjusted from time to time, as real estate market conditions change. Noting however, if affordable housing units are included, then the requirement for preservation of land or any payment in-lieu thereof would be lessened to the extent that these other Town designated community benefits are provided (i.e., affordable housing as defined and deemed acceptable to the Town).

★ *Other Recommended Zoning Amendments*

Minimum Square or Circle

To supplement the existing minimum lot width requirement, the Plan suggests that a minimum dimensioned square or circle also be required to be shown within each proposed subdivision lot, exclusive of required yard (set-back) areas. The inclusion of an appropriately dimensioned square or circle, which are both dimensionally and graphically easy to determine for purposes of compliance, will help ensure an adequate interior bulk lot area (width and depth) generally within the central core of a lot. The appropriate dimension of said square or circle would differ based on the particular underlying zoning district (i.e., greater dimension for the more restrictive districts). For example, in the existing RA-.5 Zoning District, the dimension of a minimum square might be 120 feet by 120 feet (14,400 SF or 0.33 acres), while in the existing RA-1 Zoning District, it might be 100 feet by 100 feet (10,000 SF or 0.23 acres); noting that if a circle is selected instead, the minimum diameter should be similarly sized (i.e., 120 feet diameter in the existing RA-.5 Zoning District, 100 feet diameter in the existing RA-1 Zoning District, and so forth). Alternatively, the minimum dimension of the square or circle might equal the minimum lot width of the underlying Zoning District. Should the recommendations for new zoning districts be created by consolidation of existing districts (as set forth in Table 9-1), appropriate minimum square or circle criteria would need to be developed accordingly for the new zoning classifications.

Require Increased Street Frontage and Front Yards

To maintain and enhance the Town's agricultural - rural residential character and image, expanded zoning standards (in addition to those currently existing as set forth in existing Section 90-40-70 of the Zoning Law), pertaining to residential lots located along State and County Roads, other major local streets, and adjacent to active farms and other certain uses should be considered as follows:

- Require larger lot frontages on State and County Roads, etc.
- Require larger yard setbacks along State and County Roads, etc.
- Require effective buffers adjacent to active farms, prime soils, non-compatible uses, etc. Require retention of existing hedgerows and stone walls or require plantings of trees and shrubs in open lands.

Larger frontages and setbacks, will reduce curb cuts and result in placement of houses further away from the street; require new housing to be setback further into the property, away from the travel viewshed; and help enhance and maintain the existing visual image and character of the community along said byways (which are the more visible roadways and typically include a greater number of the Town's historic and cultural resources, and visible farm settings and scenic viewsheds).

Require Wetland Separation / Buffer

To afford protections to sensitive natural functions provided by wetlands, consideration should be given to including provisions to the zoning regulations that discourages the placement of structures adjacent to wetland areas. Such provisions should encourage adequate setbacks for proposed structures relative to their proposed uses. For example, an appropriate setback for a single-family residence from a wetland resource at the rear of the lot would provide sufficient area for typical rear yard uses beyond the limits of the wetland.

★ *Cluster Subdivision*

Lot clustering is a preferred method of subdividing many remaining undeveloped parcels in Town to achieve a number of the goals and objectives of this Master Plan. As such, guidelines for the planning and design of clustered subdivisions should be developed and added to the Land Subdivision Regulations.

Lot clustering can effectively reduce site impacts while preserving contiguous open space lands or unique land features. Lot cluster development maintains the underlying permitted land use density, but permits “clustered” development by permitting reduced lot areas and/or relaxed lot bulk standards (such as setback or lot dimensional standards). The area not developed is preserved as permanent open space but tied to the approved lots in the overall permitted density calculation.

Lot clustering is viewed as a significant means of achieving a conservation oriented subdivision development that protects the Town’s unique and considerable natural resources and agricultural heritage. It is not a means to extract increased density from an environmentally constrained property (e.g., wetlands, steep slopes, ridge lines and high elevations, etc) or property containing resources desirable of preservation (e.g. farmland, scenic views, significant vegetation). Lot clustering is highly encouraged in all developments, but must be designed to significantly protect unique and important natural resources and open lands, particularly agricultural fields. Development and encroachment upon otherwise constrained or unique lands should be avoided as a typical application of sound planning principals and a strict enforcement of the Town’s environmental land use regulations.

Policies and design standards pertaining to desired lot clustering should be developed to:

- Emphasize the importance and prevalence of the town's agricultural resources, as well as the continuing degradation to these resources due to development pressures, resulting in the permanent loss and conversion of said resources.
- Establish an emphasis on "agricultural image and character," and identify the aspects of the community which define existing and desired agricultural-residential image and character.
- Provide specific support and set policy regarding the protection and enhancement of farming operations and maintenance of agricultural lands.
- Set a proactive town policy regarding the purchase of development rights and acquisition of conservation easements by the Town or other appropriate not-for-profit organizations.
- Support tax programs to generate funding and matching funds for the purchase of development rights.
- Set policy that residential lot clustering, during subdivision review, be utilized by the Planning Board to protect and conserve farmland, natural resources, and/or open space.
- Develop guidelines on how to design a subdivision based on lot clustering.

The flexibility of lot clustering provides a highly effective tool in the siting of development to preserve significant natural areas and open space areas within a subdivision, and can effectively reduce construction and infrastructure costs similar to other types of conservation subdivisions. However, open space is usually preserved in smaller or separate pieces, and may not provide public access.

★ *Conservation or Open Space Subdivision*

Through amendments to the Zoning Law and Land Subdivision Regulations, land owners and developers could be given optional means of subdividing residential zoned land, particularly that containing agricultural facilities and open land resources. For instance, options of constructing fewer and shorter new roadways (public or private), by allowing less stringent road specifications, and increased use of common driveways in exchange for permanent restrictions over contiguous open space areas and/or in the number of total lots created could be developed. Roads should be designed to respect natural features and topography aspects of the property, and should have a meandering and rural layout, rather than long straight of ways. The intent being to provide increased flexibility, that does not increase density, but rather supports a subdivision design focused on preserving/conserving the visual qualities of a site's existing open land features and that maintains and enhances to the extent possible, large tracts of contiguous (not segmented or fragmented by house sites; road alignments through preserved/conserved open lands is acceptable) open and/or agricultural lands.

Open space and conservation subdivisions can effectively increase permanent open space and reduce land fragmentation, while also substantially reducing traffic and related road

construction impacts (e.g., stormwater runoff, installation and maintenance costs, needed grading and land disturbance, etc). Such subdivisions require less site disturbance and clearing, shorter roads and correspondingly less utility infrastructure, resulting in an overall lowering of a developer's cost, allowing for fewer lots to offset these costs.

However, private roads and common driveways limit public and emergency access and can necessitate the formation of homeowners associations for maintenance, or require enforcement of easements.

☆ ***Conservation Easements, PDR & TDR, and Subdivision Regulations***

Public acquisition and/or conveyance of land reservations, in fee, to a land trust or similar not-for-profit land preservation organization, are recommended means of preserving sensitive resources and open lands.

The Plan recommends conservation easements, increased municipal sponsored PDR (including incentive zoning and annexation programs and/or inter-municipal agreements), and recommended subdivision regulations as alternatives to out-right public acquisition of sensitive areas and open lands. The development and utilization of TDR should also be studied for its future implications in the protection and preservation of open lands, particularly farmlands.

Conservation Easements

This is a voluntary, contractual agreement between a private landowner and a separate other party (municipal agency or qualified not-for-profit corporation) in which a landowner permanently restricts the development, management or use of its land (deed restriction), to protect resources such as productive agricultural land, ground and surface water, wildlife habitat, historic sites or scenic views, etc. The owner of the real property deeds an interest in the land ("Conservation Easement") to a qualified public or private agency. Typically, that agency then holds the interest and can enforce its restrictions against the transferring owner and all subsequent owners of the land. Conservation Easements can also be written so as to provide enforcement rights to the original grantor, or to a third party.

Conservation Easements may be donated, sold at full-market value, or sold at below market value by the owner of the land. Conservation Easements should also be sought by the Planning Board during the review of subdivision and site plan applications. Regardless, Conservation Easements are typically less expensive for the purchaser than fee simple acquisition. This option assures preservation, but not necessarily public

access. For example, an agricultural Conservation Easement limits subdivision of the property, non-farm development, and other uses that are inconsistent with the existing agricultural use. Although public access is not required or typically permitted, the existing farmland remains in private ownership and on the local tax roll.

While the land remains on the tax rolls, the restricted use of the property often lowers the property assessment (if placed over an agricultural exemption parcel, the fiscal impact to the Town from the additional reduction would likely be negligible). If the easement is donated or sold at below-market value, the landowner may qualify for an income tax deduction in the year of the donation or bargain sale. Also, subject to a Conservation Easement, the land may qualify for a lower estate tax valuation on the death of the owner, thereby reducing the tax burden on the beneficiaries of the owners estate. However, due to the restrictions, the re-sale value of the property may be significantly reduced.

Purchase of Development Rights (PDR)

The future development rights of a property are purchased, while the existing land use, if any, is permitted to continue (this technique has been widely used to maintain operating farm lands). Under a PDR program, the property owner can derive income from selling the future potential development rights of its property, while being able to continue to own the land, often with lower taxes due to the reduced assessed valuation. The benefits of purchasing development rights is multifaceted in that in addition to restricting or preventing future development and related impacts (thus conserving open space resources), desirable rural and vernacular land uses such as working farms can also be maintained.

However, acquisition of development rights can be costly, particular if the area has high real estate values. The Plan recommends the continuation and expansion of the Town's PDR program through the increased annual budget funding, incentive zoning techniques as discussed herein, and other means that generate funds to support the Plan's goals to preserve open space and agricultural lands.

Transfer of Development Rights (TDR)

A program is established that allows an owner of publicly-designated land to sell the development rights to other landowners whose property can support increased density. Preservation and receiving areas must be identified, which can be costly and time consuming. Once in place, the cost of preservation is absorbed by the property owner purchasing the development rights.

Application Submission Guidelines

In consultation with the town boards and departmental staff, land use and development related (e.g., subdivision, site plan, special permit, area and use variance, etc) permit application requirements, application forms, technical plan checklists and other application guideline materials given to potential applicants should be periodically reviewed and updated. Consideration of geological formations, scenic views into and out from the property, significant wildlife habitats and groundwater recharge areas should be given during the application review of major subdivisions and site developments. Also, important natural and cultural features should be preserved and incorporated into proposed site development plans.

★ *Other Potential Development Control Measures*

Estate Lot Zoning

One way to avoid subdivision fragmentation of substantial contiguous land holdings is to permit “estate lot zoning” that permits multiple dwellings, according to specific supplementary land use and development restrictions, to occur upon an undivided large estate lot. Under such a program, accessory uses as care-taker and/or guest cottages can be developed on a single parcel without requiring the subdivision of the property. Specific supplementary Zoning restrictions need to be established, adopted and enforced to maintain the integrity of the existing land use pattern, character and desired land use density of the area affected.

This technique is useful in deferring subdivision, but does not provide for long-term preservation of open space resources. However, it may provide additional needed time for the property owner, conservation/preservation groups and/or the local community to develop a more effective long-term strategy for such large, contiguous open properties.

★ *Open Space Preservation*

Open space provides innumerable benefits which contribute substantially to the health, safety and welfare of the community at large. Growth management methods and measures geared towards the preservation and protection of open space and farmlands are given the highest priority by this Plan, as the benefits that can be derived through open space preservation include:

Environmental Benefits

- Open space provides protection of environmentally sensitive resources.
- Protection of wetlands is important because wetlands filter and process polluted runoff and provide erosion control. In addition, wetlands provide a buffer to settled areas from flooding and provide habitat for plants and wildlife.
- Woodlands and other areas of natural vegetation remove carbon from the atmosphere, trap air pollutants, lower temperatures, and reduce noise.
- Open, undeveloped land promotes the protection and recharge of aquifers.
- Open space areas protect a diversity of plant and animal species, including those listed by the State and County, which is vital to protection of the regional ecosystem.
- Open space protects watersheds and ground water supplies.
- Preservation of natural vegetation on steep slopes helps prevent erosion and protect water quality.
- Open land and water provides habitat for plant and wildlife species.

Economic Benefits

- It is more cost effective to protect environmentally sensitive lands than to mitigate the impacts on them from development.
- It is cheaper to preserve natural wetlands than to provide man-made facilities for water drainage.
- The preservation of open land is more cost effective than its development, as development requires high costs of services.
- Preservation of open space can have the effect of increasing property values on surrounding lands.

Social Benefits

- Open space has tremendous educational and recreational value.
- Parks provide space for athletic activities for young people.
- Aside from active recreation, protected land provides a place of calm and stillness for people to go when they need to be calm and serene. Open space has spiritual value for many.
- Open space protection preserves the scenic and rural character of a community.
- Open space brings the residents of a town together and thus promotes a certain sense of civic belonging and neighborliness. Parks and rail trails can become meeting places.

★ *Open Space Financing Options*

Municipal Bond Act

The borrowing of money through the issuance of municipal bonds, which is typically, but not in all cases required to be, approved through a public referendum, can provide full and matching funds to purchase open space lands, conservation easements, options to purchase, and/or development rights. The availability of funds with a bond transfer allows for relatively immediate purchase of lands and distributes the cost of acquisition. However, this technique may be expensive when considering prevailing interest charges or the other needs of a community.

Bond funds can provide direct access to monies for purchase (by various means) and grant matching.

General Fund Appropriation

Purchase funds can be appropriated from the general fund. Appropriating financing through the General Fund avoids debt service and cost associated with bonding, however budget allocations are unpredictable and may not provide sufficient funds.

Real Estate Transfer Tax

A Real Estate Transfer Tax or Land Gains Tax, requiring State approval, could provide a mechanism for directing tax dollars from the sale and transfer of real estate into a specified fund intended for the purchase or improvement of open space resources.

This technique provides an ongoing source for generating funds to acquire and improve public open space resources, as has been demonstrated by the successful program in the Peconic Bay region of Suffolk County. However, the level of funds generated is not predictable as it will vary from month to month, year to year. The Plan recommends the Town continue to support legislative efforts to establish a Local Real Estate Transfer Tax.

Payment in Lieu of Dedication (“Rec Fee”)

A payment in lieu-of reservation of land is probably one of the most commonly applied methods for generating public open space and recreation land funds, for which the Town has a program. However, the amount of funds generated is dependent on increased development, which is contrary to the preservation of open space.

Given the substantial increase in the development of new single-family residences over the past three to five years, and the more than 1,400 additional residential units contained in application proposals before the Planning Board at this time, and the resulting and potentially substantial increased population generated from such unprecedented residential growth, significant incremental increased demand for parks, playground and recreation facilities will ensue.

Therefore, in recognition of this substantially impacting ongoing need for the acquisition of land for parks, playgrounds and recreation facilities, the Plan recommends that the Town continue to require developers to pay a fee to the Town's established municipal trust fund for the purchase and improvement of public open space and/or recreation lands and facilities where development properties do not present opportunities for the reservation of land for such needed purposes.

As indicated above, the Plan recognizes the continuation of the existing "rec fee" program, but recommends that the fee collected in lieu of reservation of lands be increased from the current \$1,000.00 per new subdivision lot to reflect current market conditions and property values (noting that many towns in southern New York have long established rec fees of \$5,000.00 or more).

The analysis conducted by Garling Associates pertaining to such fees and set forth in the Town Board -adopted "Town of Montgomery Parkland and Recreation Plan" on January 17, 2002, should be periodically reviewed and adjusted accordingly (*refer to Appendix A for a copy*). Alternatively, the amount of the required per new lot rec fee could be related to fair market forces at the time such fee is collected.

Land and Water Conservation Funds

Where and whenever feasible, Federal, State, County and Not-for-Profit grant funds should be sought as matching or subsidized resources for acquisition of farmland, open space, conservation easements, and outdoor recreational parcels, and for the development or enhancement of such facilities. The combining of such funding resources provides a more powerful means of achieving the Town's desired open space and agricultural preservation goals, by allowing Town funds to be spread out and utilized in a fashion that allows more projects to be realized. The Town should continue its efforts along these lines.

★ *Lot Access Standards*

Alternative Road and Common Driveway Design Standards

Design and construction standards for common driveways and alternative public roads (i.e., country road standards) to address character considerations without sacrificing public safety should be developed and added to the Zoning Law and Land Subdivision Regulations. Such standards should not allow for an increased lot count.

Cul-de-sac verse Through Roads

Existing standards pertaining to cul-de-sac length should be maintained. However, increased lengths where improved subdivision layout is achieved without an increase in number of lots may be considered appropriate and when no further subdivision is permitted. Evaluation of potential access management techniques should be conducted to determine the most effective measures to control traffic flow, relieve traffic congestion and lessen impacts on the area traffic network. Grid and loop pattern roadways are recommended, as well as cul-de-sacs appropriately configured to allow connections with future neighboring properties. Such connections to adjacent properties, however, should not result in a greater number of lots than could be realized in total without such a connection.

Flag Lot Standards

Define and adopt flag lot design standards, and restrict the number of flag lots in any one development and/or in proximity to each other. The following potential zoning standards should be considered and refined as appropriate:

LOT, FLAG - A residential building lot characterized by a distinctive shape (i.e., narrower frontage on a public road connected by a narrow or tapered strip of land for access to the major portion of the lot, said flag lot may be located to the rear of an existing or proposed lot. On a map, the individual lot may look like a flag on a pole or another shape.

FLAG LOTS

(1) Uses and Districts Permitted

- (A) Residential Flag Lots.*** Flag lots are only allowed in the residential/agricultural zone (consolidated RA- .5, RA-1 and RA-2). Such

lots may be approved only where the Planning Board finds that they will not endanger public health and safety, will not conflict with existing residential or agricultural uses, and will result in the preservation of natural and scenic resources together in compliance with the following:

- 1. The minimum area of flag lots shall be one and one-half times the lot size otherwise required for the (consolidated RA- .5, RA-1 and RA-2) zoning district. The minimum area of the access way (40 feet wide) shall not be included in the calculation of required minimum lot area for the flag lot. This strip shall run from the public street to the point where it connects with the flag portion of the lot or the buildable area of the lot.*
- 2. Each flag lot shall have a frontage of between 40 feet and 100 feet on a Town, County or State Road to provide for an access way as required by these regulations.*
- 3. Except for subsections (1) and (2) herein, flag lots must meet all other requirements for a lot in the applicable zoning district and at no time shall a substandard lot be created by these flag lot regulations. For purposes of determining front yard setbacks, the required front yard shall be the yard area lying between the front lots rear property boundary and the flag lots principal structure, or at least 76 feet from a public street to the principal structure.*
- 4. The access way shall be owned in fee simple by the owner of the flag lot.*
- 5. The number of flag lots allowed are as follows: up to five lots, one lot could be a flag lot, then one flag lot per five lots (up to a ten-lot subdivision), then one flag lot per ten lots (over a ten lot subdivision). For example, a nine-lot subdivision could have one flag lot, a ten-lot subdivision could have two flag lots and a twenty-lot subdivision could have three flag lots.*
- 6. Flag lots shall not be permitted for two family or multiple dwelling units.*
- 7. Any approved plat containing flag lots shall contain a note*

prohibiting any future re-subdivision of any of the lots which would create additional flag lots. This restriction also shall be entered into chain of title.

8. *Each flag lot must stand on its own (i.e., access way shall not cross through a wetland, traverse slopes in excess of 10%, etc).*

★ ***Affordable / Median Income Housing***

The need for housing for median income persons and the growing senior population are among the largest growing sectors of demand in the area. However, standard residential development in and of itself, is not always affordable, particularly when viewed in light of recent real estate trends involving artificially inflated home prices due to limited market supply, unprecedented low interest rates, and uncertainty in regional and world economics and social conditions. A diversity of housing should be considered as being important, in order to address the different housing needs of various segments of the population (including senior citizens, young people, municipal volunteers and employees, local business employees, etc.). The Town of Montgomery is particularly unique in that within its borders are three villages of higher density development containing varied housing options. In addition, the Plan continues in its support of permitting two-family dwellings in the recommended new RA-1.5 zoning district and maintaining without any changes to the location or regulation thereof of all areas in the Town currently zoned as R-MHC (mobile home court), both of which provide opportunities for affordable housing.

The following includes some ways in which the Town can further promote the development of affordable housing options in the Town and Villages:

- Consider other means such as apartments (e.g., over retail shops and stores; within older homes located along State and major roadways within the Town; in conjunction with other commercial development plans where residential use is compatible and infrastructure and location warrant; etc) and required median income units (whose sale and rental costs are monitored by the Town) as part of residential and/or commercial development proposals; and continue to support such options in the Villages.
- Consider establishing affordable housing and/or median income housing as a permitted land use based on associated zoning criteria and density thresholds, that is met, could follow a streamlined review and approval process.

- Consider conversion of large, older homes into affordable multiple units, thereby also preserving the older home from being torn down for new development or subdivision.
- Consider the establishment of regulations providing for the development of median income housing units, with and/or without market rate housing development proposals.
- Consider options such as with or without incentive increased density bonuses (e.g., provide a density bonus for developments which also construct affordable housing units as defined by the Town). The specifics of such provisions will need to be determined by the Town in accordance with its needs and desires, at the time of the detailed review related to such an option.

Housing developments that entirely consist of ‘affordable’ units are not likely to be provided by the private development sector and would need to be initiated by a municipal or non-profit organization. Generally, such a development is initiated when the lack of housing for a certain population (i.e., senior citizens) has reached a critical point. Currently, there does not appear to be a significant demand among the existing residents for such a level of subsidized units, and noting the Town’s uniqueness in that it includes within its borders three villages of higher density development as noted above, with centralized services, containing varied housing options; and in light of the Plan’s recommendations for an incentive (increased) residential density zoning program as discussed earlier in this Section. Should demographic trends change dramatically, a review and/or update of this Plan would be warranted, at which time the Town’s need for additional affordable housing development options would be revisited.

Recognizing that the existing need for less than market rate units, though not critical, does warrant attention, the Plan recommends that the Town focus efforts for gaining such units as part of proposed residential development plans. To achieve this, the Town would need to establish regulations providing for the development of below market rate units, beginning with a determination of what defines “affordable” housing for Montgomery, who is eligible, and including the creation of a body to “manage” the rental/sale of such units.

Affordable housing as regulated at the Town level is usually targeted toward “middle” or “median” income households (as defined by the Town), typically in conjunction with other eligibility requirements that serve to refine the pool of potential applicants in accordance with Town preferences. Options for determining initial eligibility include:

- Defining middle-income as “Families whose aggregate income does not exceed a pre-defined multiple (determined by the Town) of the median annual Town-paid wages of all full-time employees of the Town during the preceding calendar year.” Thus, a family of four would be eligible for consideration if the gross

household income did not exceed the average salary multiplied by the pre-defined multiple determined for a family of four.

- Defining middle-income based on the percentage above a County-defined poverty level. An upper income limit would need to be established as well.
- Rather than regulating the “family”, income limits could be defined per the unit. For example, the average annual income of all Town-paid salaries could be multiplied by a pre-defined multiple set forth for the number of bedrooms in the unit. Families with an income in excess of the resulting figure would not be eligible for the unit.

Once income eligibility is determined, selection of applicants usually is by a priority system, determined by the Town based on the targeted population. One method is to develop a point system based on family characteristics, employment, residency, volunteer efforts, etc. For instance, the highest number of points could be given to head of households that are over 62 years or under 35 years of age. A high number of points could also be attributed to volunteers with town emergency services, town employees, and school district employees. Obviously, if the Town of Montgomery were to implement a point system, it could be customized to provide high points for its own “at-risk” populations (i.e., children of active farmers, senior citizens that owned and operated long-standing Town business or farms, clerical town employees, veterans, etc).

Another prioritization technique is to develop a simple list of hierarchical categories. For example (with the first being highest level of priority):

- Town municipal employees
- Local school district employees
- Town residents
- Other persons employed in Town
- Relatives of Town residents
- All others.

Typically, this ranking scenario would include priority provisions within each category, such as “families displaced by government action”, “families with a head of household or spouse over 62”, and “families with a head of household or spouse that is certified handicapped.”

Once defined, regulatory options for gaining middle-income units would need to be explored, such as:

- Mandating provision of affordable units as part of subdivision approval. For example, provisions could require that for every 10 market rate lots, at least one moderate income lot would be required. Provisions should be flexible to allow for the development of compatible structures which could include multiple affordable units within. The precise “formula” for gaining such units would be ‘customized’ by the Town Board based on housing demand and development trends at the time of consideration.

The Town is encouraged to undertake further studies and analyses to determine the specifics of required and possible density bonuses that may be allowed to promote such housing types and to investigate appropriate techniques for implementing such measures.

In developing an approach to gaining middle-income units, the Town would need to establish program operational guidelines and policies, and determine other administrative aspects of such a program (e.g., establishment of a Housing Board).

★ **Infrastructure**

Infrastructure improvements needed to support new development proposals, such as road improvements, infrastructure capacity upgrades, etc., should be completed by developers of new subdivisions and commercial developments to address the impacts generated or aggravated by said actions. ***Refer to Section 9.7, Public Facilities and Services for additional discussion.***

